Secretl H-27—36,000—30-10-37.

Edn. & P. H (1938) Department.

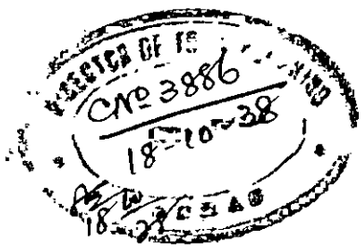
Ms. SERIES.

G.O. No. 4.4.70 P. H

DATED 13 - 12 - 1938.

[Despatch Abstract.]

Buildings - Mangalore Municipality - Building belong to Sri H. Ramachandra - Rule 8 - Exemption - Granted.



C.F. 30.

DEPARTMENT.

Received ..... 19 . *Registered* 19

Subject.

BUILDING LICENSE - Reconstruction of shop building - T.S.No.199-19, 20 and 21 of 14th ward - Guliga Hithlu Scheme area - Road Margin - G.O.No.1971 P.H., dated 30th May 1938 - Council Resolution No.45 dated the 27th August 1938.

(J)

ENCLOSURES.
No. .....
.....
Spare copies .....

Ref.C.No. 7697/A3/38.

Station Mangalore, *Dated the* 11th October 1938.

From (Name) Sri K. Govindarajulu Naidu, B.A.,
(Designation) Commissioner, Mangalore Municipality, Mangalore.

To The Secretary to the Government of Madras,
EDUCATION & PUBLIC HEALTH Department.
FORT ST. GEORGE, M A D R A S.

~~Sirr~~

Through:
The Chairman,
Municipal Council, Mangalore.

and

The Director of Town Planning,
Chepauk, M a d r a s.

SIR:,

On 17th February 1938, one H. Ramachandra applied for a license under Section 199 of the Madras District Municipalities Act 1920 to reconstruct a building T.S.No.199-19, 20 and 21 of 14th ward and to convert the same into a

storied

storied shop building. As the site of the building lies in the Guliga Hithlu Town Planning Scheme area, the application was referred to the Town Planning Committee of the Municipal Council which in its resolution No.1(5) dated the 15th March 1938, granted a license for the said reconstruction on condition that the distance of the building and every part thereof from the street alignment shall not be less than 5 feet as required under clause 12(d) of the scheme and also under the building rules. The licensee has constructed the building in such a way that the main wall of the same is about 7 feet 8 inches from the edge of the drain with a verandah of 4 feet 8 inches in front and on the remaining 3 feet space steps are provided. Over the verandah there is the upstair masonry balcony supported on pillars constructed on the extreme edge of the ver- verandah. The steps are covered above by a temporary roof of zinc sheet. Thus the five feet space from the road edge as required in the license is covered by steps and a portion of the verandah contrary to condition No.2 of the license. A provisional order under section 216 of the Madras District Municipalities Act directing the licensee to bring the work into conformity with the condition of the license and to remove the pillars put up within the five feet space was issued. The party appealed to the Council against this order. The necessary land for Town Planning Scheme having been already acquired, there is no proposal to go in for the site in question. Besides this the reconstruction has improved the building very much. Taking into consideration all these factors the Council has in its resolution No. 45, dated the 27th August 1938 resolved to condone

the

the action of the licensee subject to the approval of the Government.

This is a case deserving consideration as a strict enforcement of the rule will cause undue hardship to the licensee. he Government have expressed their willingness in their order No.1971 P.H., dated the 30th May 1938 to consider the question of granting exemption in individual cases, I request that the Government may be pleased to condone the action of the licensee in having left only 3 feet space from the road edge instead of five feet and to grant the necessary exemption in virtue of the powers vested in them under the proviso to section 192 of the Madras District Municipalities Act.

Commissioner, M.M.
14/10/38

F o r w a r d e d.

Mangalore,
Dated: October 1938.

B. Sukiaturas Baliga
Chairman, M. C.

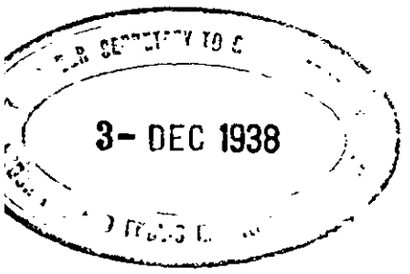
Compd/ 14.10.

Town Planning Department.

Forwarded.

I have inspected the building. Government may condone as a special case the action of the licensee in having left only 3' space from the road edge instead of 5' required under clause

12 (d) of the Guliga Hithlu T.P.Scheme. The temporary roof of zinc sheet put over the steps should be removed.



Ex-officio Director.

The Secy. to Govt.
Ed & P.H. Dept.

D.TP. 2266/38
2-12-38.

52400

No. 45

Extract from the Proceedings of the Mangalore Municipal Council, dated 27th August *19* 38

PRESENT:-

X X X

Read appeal petition dated the 4th June 1938 of Mr. H. Rama - chandra against the order of the Commissioner issued under section 205 and 216 of the Madras District Municipalities Act in respect of his new construction in the Market Ward (14) and the Commissioner's note thereon with the file of connected papers.

The action of the appellant in allowing 4 feet instead of 5 feet as stated in the lieence will be condoned subject to the approval of the Government.

(Sd) B. Venkatrao Baliga,
Chairman, Municipal Council.

"True Copy"

Commissioner, M.M.

C.F. 16.

DRAFT FOR APPROVAL.

Edn & P. H. Dept

	Date.	Initials.
When received for fair copying ..		
When copied .		
When examined..	13/12/38	
When signed ..		
When despatched.		

SUBJECT:— Buildings – Mangalore Mtg – Building belonging to Sri H. Ramachandra – Rule 8 – Exemption Granted.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

pp 1-3 of No. 52400 E From the Commr. Mangalore Mtg. (Ref. C.) No. 7697/A3/38 dated 11-10-1938.

pp 3-4 of " " " D.T.P., D.T.P. " 2266/38 " 2-12-1938.

" _____ " _____ " _____ " _____ 19____.

Order ~~Resolution~~ Ms. ~~Rout~~. No. 4470 P.H. dated 13 12 1938

(T)

pp 3-4 of

Under the powers vested in them by the proviso to section 192 of the M.D.M. Act, 1920, the Govt exempt as a special case, the building reconstructed by Sri H. Ramachandra in T.S. No. 199-19-20 & 21 of Ward No. 14 of Mangalore Mtg, from the operation of rule 8 of the building rules issued with G.O. No. 1621 P.H., dated 30-7-32 subject to the condition that the zinc sheet roof put over the steps is removed

removed.

A.P.
1/12/38

SRK
12/12

J.D.
12/12/38

To

The Comm., Mangalore Mty
thro' the C.O.C.

Copy to the D.T.P.

Dsptd
14/12/38

Note:- By having only 3 ft space in front of the building it contravenes rule 8 of the building rules which requires a space of 4 ft in front, and also that no construction should be put up in the space between the building line and the street alignment.

(T)

A.P.
1/12/38.

SRK
12/12

J.D.
12/12/38